

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

MARLON GRANGER,

Respondent

v.

RENT-A-CENTER, INC.

Appellant

DOCKET NUMBER WD79584

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: November 8, 2016

Appeal From:

Circuit Court of Jackson County, MO
The Honorable Wesley Brent Powell, Judge

Appellate Judges:

Division Three
Alok Ahuja, P.J., Victor C. Howard, and James Edward Welsh, JJ.

Attorneys:

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**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**MARLON GRANGER, Respondent, v.
RENT-A-CENTER, INC., Appellant**

WD79584

Jackson County

Before Division Three Judges: Ahuja, P.J., Howard, and Welsh, JJ.

Rent-A-Center, Inc. ("RAC") and former RAC store manager Kelli Stangle appeal the circuit court's judgment denying their motions to compel arbitration and to stay proceedings in Marlon Granger's wrongful death lawsuit. The Appellants contend that Granger is estopped from opposing their motions because he "has sought the benefits of the contracts" between his father (the decedent) and the Appellants, which included an arbitration clause.

Affirmed.

Division Three holds:

The circuit court did not err in denying the Appellants' motions. Missouri's wrongful death law, the facts of this case, and Granger's petition all establish that, even if the arbitration agreements were valid as to Johnson, they are not valid or applicable to Granger and do not encompass Granger's wrongful death claim. Moreover, Granger has not benefited from and does not seek to recover any damages arising under the contract between Johnson and RAC; thus, Granger is not estopped from denying their application to him. Given that the circuit court did not err in denying the motion to compel arbitration, the need to stay the proceedings is a moot point.

Opinion by James Edward Welsh, Judge

November 8, 2016

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